

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DANIEL A. BROSEY,	:	Civ. No. 1:21-CV-1632
	:	
Plaintiff,	:	
	:	
v.	:	
TREE SERVICE PROS, LLC	:	
D/B/A TREE SERVICE PROS,	:	
	:	
Defendant.	:	Judge Sylvia H. Rambo

ORDER

AND NOW, this 27th day of July, 2022, upon consideration of the motion to dismiss for failure to state a claim filed by Defendant Tree Service Pros, LLC (Doc. 22) and in accordance with the accompanying memorandum, **IT IS HEREBY ORDERED** as follows:

- I. The motion is **DENIED** as to Plaintiff's claims for breach of contract, violation of the Fair Labor Standards Act, violation of the Pennsylvania Minimum Wage Act, and violation of the Pennsylvania Wage Payment and Collection Law; and
- II. The motion is **GRANTED** as to Plaintiff's claim for common law wrongful discharge, which is **DISMISSED WITH PREJUDICE**.

/s/ Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge